THE HON'BLE SMT.JUSTICE T.MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT PETITION No.7911 OF 2005

Dt: 29.08.2005

Between:

K.Sandya, W/o.P.Ajaya

Occ: School Assistant

Z.P.High School, Kimpally

Rangareddy District … PETITIONER

AND

The District Development Officer/

Chief Executive Officer

Zilla Parishad, R.R.District at Hyderabad … RESPONDENT

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-

WRIT PETITION No.7911 OF 2005

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ORDER: (per the Hon'ble Smt.Justice T.Meena Kumari)

This Writ Petition is filed to declare the Order, dated 21.02.2005 in MA (Sr.) No.828 of 2005 in RP.No.2040 of 1987 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad as arbitrary and illegal and consequently to direct the respondent to implement the Orders dated 21.01.1988 passed by the Tribunal in

RP.No.2040 of 1987.

It is the case of the petitioner that she was initially appointed as Special Teacher by proceedings dated 24.12.1985 on consolidated pay. She filed R.P.No.2040 of 1987 along with others before the Tribunal to set aside the proceedings dated 17.03.1987 and for a direction to the respondents therein to regularize her services from the date of appointment and to pay salary on par with regular teachers. The Tribunal passed orders in the said RP on 21.01.1988 directing the respondents to consider her claim for the post of School Assistant if new posts are created. Thereafter, she filed W.P.No.19639 of 1988 before this Court to implement the Orders, dated 21.01.1988, passed by the Tribunal in the said RP and this Court, by order dated 21.04.1989 directed the respondents therein to implement the said Orders. According to the petitioner, in spite of the Orders passed by the Tribunal as well as the High Court, no orders have been passed by the respondent. She filed a representation dated 25.09.1996 seeking promotion as School Assistant with effect from 23.10.1989, the date on which the School Assistant posts were available. She was promoted as School Assistant on 27.08.1997. It is her further case that all the representations, filed by her, became futile and hence, she filed the above said Miscellaneous Application before the Tribunal seeking to implement the Orders passed by the Tribunal in RP.No.2040 of 1987, dated 21.01.1988. The Tribunal rejected the said application on the ground that it is not maintainable. Hence, the Writ Petition.

Perused the Order impugned. The Tribunal declined to entertain the MA on the ground that it was filed after a lapse of more than fifteen years and also on the ground that the provision available under Contempt of Courts Act was not availed by the petitioner.

In our considered view, the Tribunal has given cogent and convincing reasons while rejecting the application, which do not warrant any interference at the hands of this Court.

Accordingly, the Writ Petition is dismissed at the stage of admission.

(T.MEENA KUMARI, J)

Dt: 29.08.2005 (P.LAKSHMANA REDDY,J)

bsv/lvl